

108TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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IN THE SENATE OF THE UNITED STATES

Mr. GRAHAM of Florida introduced the following bill; which was read twice  
and referred to the Committee on \_\_\_\_\_

**A BILL**

To amend the National Security Act of 1947 to reorganize  
and improve the leadership of the intelligence community  
of the United States, to provide for the enhancement  
of the counterterrorism activities of the United States  
Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the “9–  
5 11 Memorial Intelligence Reform Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Reorganization and improvement of management of intelligence commu-  
nity under Director of National Intelligence.

## 2

- Sec. 3. Priorities on intelligence and counterterrorism activities for the intelligence community.
- Sec. 4. Comprehensive strategy on combatting terrorism.
- Sec. 5. Inclusion of National Intelligence Officer for Terrorism on National Intelligence Council.
- Sec. 6. Enhancement of counterterrorism capabilities of the Federal Bureau of Investigation.
- Sec. 7. Reform of domestic intelligence programs and activities.
- Sec. 8. Enhancement of utilization of foreign intelligence surveillance authorities by the intelligence community.
- Sec. 9. Plan on enhancement of signals intelligence.
- Sec. 10. Personnel initiatives for the intelligence community.
- Sec. 11. Budgeting and funding of intelligence and counterterrorism activities.
- Sec. 12. Report on revisions to bilateral and multilateral agreements to strengthen counterterrorism efforts.
- Sec. 13. Study and recommendations on improvement of congressional oversight of the intelligence community.
- Sec. 14. Treatment and classification of intelligence information.
- Sec. 15. Enhancement of accountability of the intelligence community for the performance of intelligence activities.
- Sec. 16. Elimination or reduction in barriers to collection and sharing of intelligence for counterterrorism purposes.
- Sec. 17. National Terrorist Watchlist Center.
- Sec. 18. Enhancement of efforts to identify support or involvement of foreign governments in terrorist activities.

1 **SEC. 2. REORGANIZATION AND IMPROVEMENT OF MANAGE-**  
2 **MENT OF INTELLIGENCE COMMUNITY UNDER**  
3 **DIRECTOR OF NATIONAL INTELLIGENCE.**

4 (a) REORGANIZATION AND IMPROVEMENT OF MAN-  
5 AGEMENT OF INTELLIGENCE COMMUNITY.—

6 (1) IN GENERAL.—Title I of the National Secu-  
7 rity Act of 1947 (50 U.S.C. 402 et seq.) is amended  
8 by striking sections 102 through 104 and inserting  
9 the following new sections:

10 “OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
11 “SEC. 102. (a) OFFICE OF DIRECTOR OF NATIONAL  
12 INTELLIGENCE.—(1) There is an Office of the Director  
13 of National Intelligence. The function of the Office is to  
14 assist the Director of National Intelligence in carrying out

1 the duties and responsibilities of the Director under this  
2 Act and to carry out such other duties as may be pre-  
3 scribed by law.

4 “(2) The Office of the Director of National Intel-  
5 ligence is composed of the following:

6 “(A) The Director of National Intelligence.

7 “(B) The Deputy Director of National Intel-  
8 ligence.

9 “(C) The Deputy Director of National Intel-  
10 ligence for Community Management.

11 “(D) The National Intelligence Council.

12 “(E) The Assistant Director of National Intel-  
13 ligence for Collection.

14 “(F) The Assistant Director of National Intel-  
15 ligence for Analysis and Production.

16 “(G) The Assistant Director of National Intel-  
17 ligence for Administration.

18 “(H) The General Counsel to the Director of  
19 National Intelligence.

20 “(I) The Inspector General of the Intelligence  
21 Community.

22 “(J) The Office of the National Counterintel-  
23 ligence Executive.

1           “(K) Such other offices and officials as may be  
2           established by law or the Director of National Intel-  
3           ligence may establish or designate in the Office.

4           “(3) To assist the Director in fulfilling the respon-  
5           sibilities of the Director as head of the intelligence commu-  
6           nity, the Director shall employ and utilize in the Office  
7           of the Director of National Intelligence a professional staff  
8           having an expertise in matters relating to such responsibil-  
9           ities, and may establish permanent positions and appro-  
10          prium rates of pay with respect to that staff.

11          “(b) DIRECTOR OF NATIONAL INTELLIGENCE.—(1)  
12          There is a Director of National Intelligence who shall be  
13          appointed by the President, by and with the advice and  
14          consent of the Senate.

15          “(2) Any individual nominated for appointment as  
16          Director of National Intelligence shall have extensive na-  
17          tional security expertise.

18          “(3) The Director of National Intelligence shall—

19               “(A) serve as head of the United States intel-  
20               ligence community; and

21               “(B) act as the principal adviser to the Presi-  
22               dent for intelligence matters related to the national  
23               security.

24          “(c) DEPUTY DIRECTOR OF NATIONAL INTEL-  
25          LIGENCE.—(1) There is a Deputy Director of National In-

1 telligence who shall be appointed by the President, by and  
2 with the advice and consent of the Senate.

3 “(2) Any individual nominated for appointment as  
4 Deputy Director of National Intelligence shall have exten-  
5 sive national security expertise.

6 “(3) The Deputy Director of National Intelligence  
7 shall assist the Director of National Intelligence in car-  
8 rying out the Director’s responsibilities under this Act.

9 “(4) The Deputy Director of National Intelligence  
10 shall act for, and exercise the powers of, the Director of  
11 National Intelligence during the Director’s absence or dis-  
12 ability or during a vacancy in the position of the Director  
13 of National Intelligence.

14 “(5) The Deputy Director of National Intelligence  
15 takes precedence in the Office of the Director of National  
16 Intelligence immediately after the Director of National In-  
17 telligence.

18 “(d) DEPUTY DIRECTOR OF NATIONAL INTEL-  
19 LIGENCE FOR COMMUNITY MANAGEMENT.—(1) There is  
20 a Deputy Director of National Intelligence for Community  
21 Management who shall be appointed by the President, by  
22 and with the advice and consent of the Senate.

23 “(2) Any individual nominated for appointment as  
24 Deputy Director of National Intelligence for Community

1 Management shall have extensive national security exper-  
2 tise.

3 “(3) The Deputy Director of National Intelligence for  
4 Community Management shall, subject to the direction of  
5 the Director of National Intelligence, be responsible for  
6 the following:

7 “(A) Directing the operations of the Commu-  
8 nity Management Staff.

9 “(B) Through the Assistant Director of Na-  
10 tional Intelligence for Collection, ensuring the effi-  
11 cient and effective collection of national intelligence  
12 using technical means and human sources.

13 “(C) Through the Assistant Director of Na-  
14 tional Intelligence for Analysis and Production, con-  
15 ducting oversight of the analysis and production of  
16 intelligence by elements of the intelligence commu-  
17 nity.

18 “(D) Through the Assistant Director of Na-  
19 tional Intelligence for Administration, performing  
20 community-wide management functions of the intel-  
21 ligence community, including the management of  
22 personnel and resources.

23 “(4) The Deputy Director of National Intelligence for  
24 Community Management takes precedence in the Office

1 of the Director of National Intelligence immediately after  
2 the Deputy Director of National Intelligence.

3 “(e) MILITARY STATUS OF DIRECTOR AND DEPUTY  
4 DIRECTORS.—(1) Not more than one of the individuals  
5 serving in the positions specified in paragraph (2) may  
6 be a commissioned officer of the Armed Forces, whether  
7 in active or retired status.

8 “(2) The positions referred to in this paragraph are  
9 the following:

10 “(A) The Director of National Intelligence.

11 “(B) The Deputy Director of National Intel-  
12 ligence.

13 “(C) The Deputy Director of National Intel-  
14 ligence for Community Management.

15 “(3) It is the sense of Congress that, under ordinary  
16 circumstances, it is desirable that one of the individuals  
17 serving in the positions specified in paragraph (2)—

18 “(A) be a commissioned officer of the Armed  
19 Forces, whether in active or retired status; or

20 “(B) have, by training or experience, an appre-  
21 ciation of military intelligence activities and require-  
22 ments.

23 “(4) A commissioned officer of the Armed Forces,  
24 while serving in a position specified in paragraph (2)—

1           “(A) shall not be subject to supervision or con-  
2           trol by the Secretary of Defense or by any officer or  
3           employee of the Department of Defense;

4           “(B) shall not exercise, by reason of the offi-  
5           cer’s status as a commissioned officer, any super-  
6           vision or control with respect to any of the military  
7           or civilian personnel of the Department of Defense  
8           except as otherwise authorized by law; and

9           “(C) shall not be counted against the numbers  
10          and percentages of commissioned officers of the rank  
11          and grade of such officer authorized for the military  
12          department of that officer.

13          “(5) Except as provided in subparagraph (A) or (B)  
14          of paragraph (4), the appointment of an officer of the  
15          Armed Forces to a position specified in paragraph (2)  
16          shall not affect the status, position, rank, or grade of such  
17          officer in the Armed Forces, or any emolument, perquisite,  
18          right, privilege, or benefit incident to or arising out of such  
19          status, position, rank, or grade.

20          “(6) A commissioned officer of the Armed Forces on  
21          active duty who is appointed to a position specified in  
22          paragraph (2), while serving in such position and while  
23          remaining on active duty, shall continue to receive military  
24          pay and allowances and shall not receive the pay pre-  
25          scribed for such position. Funds from which such pay and



1 allowances are paid shall be reimbursed from funds avail-  
2 able to the Director of National Intelligence.

3 “(f) NATIONAL INTELLIGENCE COUNCIL.—(1) There  
4 is a National Intelligence Council.

5 “(2)(A) The Council shall be composed of senior ana-  
6 lysts within the intelligence community and substantive  
7 experts from the public and private sector, who shall be  
8 appointed by, report to, and serve at the pleasure of the  
9 Director of National Intelligence.

10 “(B) The Director shall prescribe appropriate secu-  
11 rity requirements for personnel appointed from the private  
12 sector as a condition of service on the Council, or as con-  
13 tractors of the Council or employees of such contractors,  
14 to ensure the protection of intelligence sources and meth-  
15 ods while avoiding, wherever possible, unduly intrusive re-  
16 quirements which the Director considers to be unnecessary  
17 for this purpose.

18 “(3) The Council shall—

19 “(A) produce national intelligence estimates for  
20 the Government, including, whenever the Council  
21 considers appropriate, alternative views held by ele-  
22 ments of the intelligence community;

23 “(B) evaluate community-wide collection and  
24 production of intelligence by the intelligence commu-

1 nity and the requirements and resources of such col-  
2 lection and production; and

3 “(C) otherwise assist the Director in carrying  
4 out the responsibilities described in section 103(a).

5 “(4) Within their respective areas of expertise and  
6 under the direction of the Director, the members of the  
7 Council shall constitute the senior intelligence advisers of  
8 the intelligence community for purposes of representing  
9 the views of the intelligence community within the Govern-  
10 ment.

11 “(5) Subject to the direction and control of the Direc-  
12 tor, the Council may carry out its responsibilities under  
13 this subsection by contract, including contracts for sub-  
14 stantive experts necessary to assist the Council with par-  
15 ticular assessments under this subsection.

16 “(6) The Director shall make available to the Council  
17 such staff as may be necessary to permit the Council to  
18 carry out its responsibilities under this subsection, and  
19 shall take appropriate measures to ensure that the Council  
20 and its staff satisfy the needs of policymaking officials and  
21 other consumers of intelligence.

22 “(7) The Council shall be readily accessible to policy-  
23 making officials and other appropriate individuals not oth-  
24 erwise associated with the intelligence community.

1       “(8) The heads of elements within the intelligence  
2 community shall, as appropriate, furnish such support to  
3 the Council, including the preparation of intelligence anal-  
4 yses, as may be required by the Director.

5       “(g) ASSISTANT DIRECTOR OF NATIONAL INTEL-  
6 LIGENCE FOR COLLECTION.—(1) There is an Assistant  
7 Director of National Intelligence for Collection who shall  
8 be appointed by the President, by and with the advice and  
9 consent of the Senate.

10       “(2) The Assistant Director for Collection shall assist  
11 the Director of National Intelligence in carrying out the  
12 Director’s collection responsibilities in order to ensure the  
13 efficient and effective collection of national intelligence.

14       “(h) ASSISTANT DIRECTOR OF NATIONAL INTEL-  
15 LIGENCE FOR ANALYSIS AND PRODUCTION.—(1) There is  
16 an Assistant Director of National Intelligence for Analysis  
17 and Production who shall be appointed by the President,  
18 by and with the advice and consent of the Senate.

19       “(2) The Assistant Director for Analysis and Produc-  
20 tion shall—

21               “(A) oversee the analysis and production of in-  
22 telligence by the elements of the intelligence commu-  
23 nity;

1           “(B) establish standards and priorities relating  
2           to the analysis and production of intelligence by  
3           such elements;

4           “(C) monitor the allocation of resources for the  
5           analysis and production of intelligence in order to  
6           identify unnecessary duplication in the analysis and  
7           production of intelligence;

8           “(D) direct competitive analysis of analytical  
9           products having National importance;

10          “(E) identify intelligence to be collected for  
11          purposes of the Assistant Director of National Intel-  
12          ligence for Collection; and

13          “(F) provide such additional analysis and pro-  
14          duction of intelligence as the President and the Na-  
15          tional Security Council may require.

16          “(i) ASSISTANT DIRECTOR OF NATIONAL INTEL-  
17          LIGENCE FOR ADMINISTRATION.—(1) There is an Assist-  
18          ant Director of National Intelligence for Administration  
19          who shall be appointed by the President, by and with the  
20          advice and consent of the Senate.

21          “(2) The Assistant Director for Administration shall  
22          manage such activities relating to the administration of  
23          the intelligence community as the Director of National In-  
24          telligence shall require.

1       “(j) GENERAL COUNSEL TO DIRECTOR OF NATIONAL  
2 INTELLIGENCE.—(1) There is a General Counsel to the  
3 Director of National Intelligence who shall be appointed  
4 from civilian life by the President, by and with the advice  
5 and consent of the Senate.

6       “(2) The individual serving in the position of General  
7 Counsel to the Director of National Intelligence may not,  
8 while so serving, also serve as the General Counsel of the  
9 Central Intelligence Agency.

10       “(3) The General Counsel to the Director of National  
11 Intelligence is the chief legal officer for the Director of  
12 National Intelligence.

13       “(4) The General Counsel to the Director of National  
14 Intelligence shall perform such functions as the Director  
15 of National Intelligence may prescribe.

16       “(k) INSPECTOR GENERAL OF INTELLIGENCE COM-  
17 MUNITY.—(1) There shall be an Inspector General of the  
18 Intelligence Community who is appointed as provided in  
19 section 3 of the Inspector General Act of 1978 (5 U.S.C.  
20 App. 3).

21       “(2) The Inspector General of the Intelligence Com-  
22 munity shall report to and be under the general super-  
23 vision of the Director of National Intelligence.

24       “(3) The Inspector General of the Intelligence Com-  
25 munity shall, with respect to the intelligence community

1 as a whole and each element of the intelligence commu-  
2 nity, perform such duties, have such responsibilities, and  
3 exercise such powers specified in the Inspector General  
4 Act of 1978 as the Director of National Intelligence shall  
5 prescribe.

6 “(4) Each inspector general of an element of the in-  
7 telligence community shall cooperate fully with the Inspec-  
8 tor General of the Intelligence Community in the perform-  
9 ance of any duty or function by the Inspector General of  
10 the Intelligence Community under this subsection regard-  
11 ing such element.

12 “(5) The performance by the Inspector General of the  
13 Intelligence Community of any duty or function regarding  
14 an element of the intelligence community may not be con-  
15 strued to modify or affect the responsibility of any other  
16 inspector general having responsibilities regarding the ele-  
17 ment of the intelligence community.

18 “RESPONSIBILITIES OF DIRECTOR OF NATIONAL  
19 INTELLIGENCE

20 “SEC. 103. (a) PROVISION OF INTELLIGENCE.—(1)  
21 Under the direction of the National Security Council, the  
22 Director of National Intelligence shall be responsible for  
23 providing national intelligence—

24 “(A) to the President;

25 “(B) to the heads of departments and agencies  
26 of the executive branch;

1           “(C) to the Chairman of the Joint Chiefs of  
2       Staff and senior military commanders; and

3           “(D) where appropriate, to the Senate and  
4       House of Representatives and the committees there-  
5       of.

6       “(2) Such national intelligence should be timely, ob-  
7       jective, independent of political considerations, and based  
8       upon all sources available to the intelligence community.

9       “(b) RESPONSIBILITIES OF DIRECTOR OF NATIONAL  
10   INTELLIGENCE.—The Director of National Intelligence  
11   shall—

12           “(1) develop an annual budget for intelligence  
13       and intelligence-related activities of the United  
14       States by—

15           “(A) developing and presenting to the  
16       President an annual budget for the National  
17       Foreign Intelligence Program, including review,  
18       approval, and modification of the execution of  
19       intelligence community budgets, and personnel  
20       and resource allocation in furtherance of such  
21       annual budget;

22           “(B) participating in the development by  
23       the Secretary of Defense of the annual budgets  
24       for the Joint Military Intelligence Program and

1 the Tactical Intelligence and Related Activities  
2 Program; and

3 “(C) managing and overseeing the execu-  
4 tion and, if necessary, the modification of the  
5 annual budget for the National Foreign Intel-  
6 ligence Program, including directing the trans-  
7 fer of funds or personnel between elements of  
8 the intelligence community;

9 “(D) setting, monitoring, and enforcing  
10 consistent policy for the intelligence community;

11 “(E) reviewing, approving, modifying, and  
12 exercising primary management and oversight  
13 of the research and development efforts of the  
14 intelligence community;

15 “(F) reviewing, approving, and coordi-  
16 nating relationships between elements of the in-  
17 telligence community and foreign intelligence,  
18 law enforcement, and security services;

19 “(G) insuring that the elements of the in-  
20 telligence community comply fully with policies,  
21 guidance, and authorities applicable to the in-  
22 telligence community on management, adminis-  
23 tration, and law;



1           “(2) establish the requirements and priorities to  
2           govern the collection of national intelligence by ele-  
3           ments of the intelligence community;

4           “(3) approve, establish, and enforce collection  
5           processing, and dissemination requirements, deter-  
6           mine collection priorities, and resolve conflicts in col-  
7           lection priorities levied on national collection assets,  
8           except as otherwise agreed with the Secretary of De-  
9           fense pursuant to the direction of the President;

10          “(4) promote and evaluate the utility of na-  
11          tional intelligence to consumers within the Govern-  
12          ment;

13          “(5) eliminate waste and unnecessary duplica-  
14          tion within the intelligence community;

15          “(6) establish requirements and priorities for  
16          foreign intelligence information to be collected under  
17          the Foreign Intelligence Surveillance Act of 1978  
18          (50 U.S.C. 1801 et seq.), and provide assistance to  
19          the Attorney General to ensure that information de-  
20          rived from electronic surveillance or physical  
21          searches under that Act is disseminated so it may be  
22          used efficiently and effectively for foreign intel-  
23          ligence purposes, except that the Director shall have  
24          no authority to direct, manage, or undertake elec-  
25          tronic surveillance or physical search operations pur-

1       suant to that Act unless otherwise authorized by  
2       statute or Executive order;

3               “(7) protect intelligence sources and methods  
4       from unauthorized disclosure; and

5               “(8) perform such other functions as the Presi-  
6       dent or the National Security Council may direct.

7               “AUTHORITIES OF DIRECTOR OF NATIONAL  
8                               INTELLIGENCE

9               “SEC. 103A. (a) ACCESS TO INTELLIGENCE.—To the  
10      extent recommended by the National Security Council and  
11      approved by the President, the Director of National Intel-  
12      ligence shall have access to all intelligence related to the  
13      national security which is collected by any department,  
14      agency, or other entity of the United States.

15              “(b) APPROVAL OF BUDGETS.—The Director of Na-  
16      tional Intelligence shall supervise the elements of the intel-  
17      ligence community in the preparation of their annual  
18      budgets, and shall approve such budgets before their in-  
19      corporation in the National Foreign Intelligence Program.

20              “(c) REPROGRAMMING.—(1) No funds made avail-  
21      able under the National Foreign Intelligence Program  
22      may be reprogrammed by any element of the intelligence  
23      community without the prior approval of the Director of  
24      National Intelligence except in accordance with procedures  
25      issued by the Director.

1       “(2) The Secretary of Defense shall consult with the  
2 Director before reprogramming funds made available  
3 under the Joint Military Intelligence Program.

4       “(d) TRANSFER OF FUNDS OR PERSONNEL WITHIN  
5 NATIONAL FOREIGN INTELLIGENCE PROGRAM.—(1)(A)  
6 In addition to any other authorities available under law  
7 for such purposes, the Director of National Intelligence  
8 may, with the approval of the Director of the Office of  
9 Management and Budget, transfer funds appropriated for  
10 a program within the National Foreign Intelligence Pro-  
11 gram to another such program and, in accordance with  
12 procedures to be developed by the Director, may transfer  
13 personnel authorized for an element of the intelligence  
14 community to another such element for periods up to a  
15 year.

16       “(B) The Director may only delegate a duty or au-  
17 thority given the Director under this subsection to the  
18 Deputy Director of National Intelligence for Community  
19 Management.

20       “(2) A transfer of funds or personnel may be made  
21 under this subsection only if—

22               “(A) the funds or personnel are being trans-  
23 ferred to an activity that is a higher priority intel-  
24 ligence activity;

1           “(B) the need for funds or personnel for such  
2           activity is based on unforeseen requirements; and

3           “(C) the transfer does not involve a transfer of  
4           funds to the Reserve for Contingencies of the Cen-  
5           tral Intelligence Agency.

6           “(3) Funds transferred under this subsection shall  
7           remain available for the same period as the appropriations  
8           account to which transferred.

9           “(4)(A) Any transfer of funds under this subsection  
10          shall be carried out in accordance with existing procedures  
11          applicable to reprogramming notifications for the appro-  
12          priate congressional committees.

13          “(B) Any proposed transfer for which notice is given  
14          to the appropriate congressional committees shall be ac-  
15          companied by a report explaining the nature of the pro-  
16          posed transfer and how it satisfies the requirements of this  
17          subsection. In addition, the congressional intelligence com-  
18          mittees shall be promptly notified of any transfer of funds  
19          made pursuant to this subsection in any case in which the  
20          transfer would not have otherwise required reprogram-  
21          ming notification under procedures in effect as of October  
22          24, 1992.

23          “(5) The Director shall promptly submit to the con-  
24          gressional intelligence committees and, in the case of the  
25          transfer of personnel to or from the Department of De-

1 fense, the Committee on Armed Services of the Senate and  
2 the Committee on Armed Services of the House of Rep-  
3 resentatives, a report on any transfer of personnel made  
4 pursuant to this subsection. The Director shall include in  
5 any such report an explanation of the nature of the trans-  
6 fer and how it satisfies the requirements of this sub-  
7 section.

8 “(e) COORDINATION WITH FOREIGN GOVERN-  
9 MENTS.—Under the direction of the National Security  
10 Council and in a manner consistent with section 207 of  
11 the Foreign Service Act of 1980 (22 U.S.C. 3927), the  
12 Director of National Intelligence shall coordinate the rela-  
13 tionships between elements of the intelligence community  
14 and the intelligence or security services of foreign govern-  
15 ments on all matters involving intelligence related to the  
16 national security or involving intelligence acquired through  
17 clandestine means.

18 “(f) USE OF PERSONNEL.—The Director of National  
19 Intelligence shall, in coordination with the heads of de-  
20 partments and agencies with elements in the intelligence  
21 community, institute policies and programs within the in-  
22 telligence community—

23 “(1) to provide for the rotation of personnel be-  
24 tween the elements of the intelligence community,  
25 where appropriate, and to make such rotated service

1 a factor to be considered for promotion to senior po-  
2 sitions; and

3 “(2) to consolidate, wherever possible, per-  
4 sonnel, administrative, and security programs to re-  
5 duce the overall costs of these activities within the  
6 intelligence community.

7 “(g) STANDARDS AND QUALIFICATIONS FOR PER-  
8 FORMANCE OF INTELLIGENCE ACTIVITIES.—The Director  
9 of National Intelligence shall, in consultation with the  
10 heads of effected agencies, develop standards and quali-  
11 fications for persons engaged in the performance of intel-  
12 ligence activities within the intelligence community.

13 “CENTRAL INTELLIGENCE AGENCY

14 “SEC. 104. (a) IN GENERAL.—There is a Central In-  
15 telligence Agency.

16 “(b) FUNCTION.—The function of the Agency shall  
17 be to assist the Director of the Central Intelligence Agency  
18 in carrying out the responsibilities of the Director under  
19 section 104A(d).

20 “DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY

21 “SEC. 104A. (a) DIRECTOR OF CENTRAL INTEL-  
22 LIGENCE AGENCY.—There is a Director of the Central In-  
23 telligence Agency who shall be appointed by the President,  
24 by and with the advice and consent of the Senate.

1       “(b) HEAD OF CENTRAL INTELLIGENCE AGENCY.—  
2     The Director of the Central Intelligence Agency shall be  
3     the head of the Central Intelligence Agency.

4       “(c) PROHIBITION ON SIMULTANEOUS SERVICE AS  
5     DIRECTOR OF NATIONAL INTELLIGENCE.—The individual  
6     serving in the position of Director of the Central Intel-  
7     ligence Agency shall not, while so serving, also serve as  
8     the Director of National Intelligence.

9       “(d) GENERAL RESPONSIBILITIES.—As head of the  
10    Central Intelligence Agency, the Director of the Central  
11    Intelligence Agency shall—

12           “(1) collect intelligence through human sources  
13           and by other appropriate means, except that the  
14           Agency shall have no police, subpoena, or law en-  
15           forcement powers or internal security functions;

16           “(2) provide overall direction for the collection  
17           of national intelligence through human sources by  
18           elements of the intelligence community authorized to  
19           undertake such collection and, in coordination with  
20           other agencies of the Government which are author-  
21           ized to undertake such collection, ensure that the  
22           most effective use is made of resources and that the  
23           risks to the United States and those involved in such  
24           collection are minimized;

1           “(3) correlate and evaluate intelligence related  
2           to the national security and provide appropriate dis-  
3           semination of such intelligence;

4           “(4) perform such additional services as are of  
5           common concern to the elements of the intelligence  
6           community, which services the Director of National  
7           Intelligence determines can be more efficiently ac-  
8           complished centrally; and

9           “(5) perform such other functions and duties  
10          related to intelligence affecting the national security  
11          as the President or the National Security Council  
12          may direct.

13          “(e) TERMINATION OF EMPLOYMENT OF CIA EM-  
14          PLOYEES.—(1) Notwithstanding any other provision of  
15          law, the Director of the Central Intelligence Agency may,  
16          in the Director’s discretion, terminate the employment of  
17          any officer or employee of the Central Intelligence Agency  
18          whenever the Director considers such termination nec-  
19          essary or advisable in the interests of the United States.

20          “(2) Termination under paragraph (1) shall not af-  
21          fect the right of the officer or employee terminated to seek  
22          or accept employment in any other department or agency  
23          of the Government if declared eligible for such employ-  
24          ment by the Office of Personnel Management.”.



1           (2) SENSE OF CONGRESS ON CABINET-LEVEL  
2       STATUS OF DIRECTOR OF NATIONAL INTEL-  
3       LIGENCE.—It is the sense of Congress that the Di-  
4       rector of National Intelligence should be a cabinet-  
5       level officer of the United States Government.

6           (3) GENERAL REFERENCES.—(A) Any ref-  
7       erence to the Director of Central Intelligence in the  
8       Director's capacity as the head of the intelligence  
9       community in any law, regulation, document, paper,  
10      or other record of the United States shall be deemed  
11      to be a reference to the Director of National Intel-  
12      ligence.

13          (B) Any reference to the Director of Central In-  
14      telligence in the Director's capacity as the head of  
15      the Central Intelligence Agency in any law, regula-  
16      tion, document, paper, or other record of the United  
17      States shall be deemed to be a reference to the Di-  
18      rector of the Central Intelligence Agency.

19          (C) Any reference to the Deputy Director of  
20      Central Intelligence in the Deputy Director's capac-  
21      ity as deputy to the head of the intelligence commu-  
22      nity in any law, regulation, document, paper, or  
23      other record of the United States shall be deemed to  
24      be a reference to the Deputy Director of National  
25      Intelligence.

1           (D) Any reference to the Deputy Director of  
2           Central Intelligence for Community Management in  
3           any law, regulation, document, paper, or other  
4           record of the United States shall be deemed to be  
5           a reference to the Deputy Director of National Intel-  
6           ligence for Community Management.

7           (E) Any reference to the Assistant Director of  
8           Central Intelligence for Collection in any law, regula-  
9           tion, document, paper, or other record of the United  
10          States shall be deemed to be a reference to the As-  
11          sistant Director of National Intelligence for Collec-  
12          tion.

13          (F) Any reference to the Assistant Director of  
14          Central Intelligence for Analysis and Production in  
15          any law, regulation, document, paper, or other  
16          record of the United States shall be deemed to be  
17          a reference to the Assistant Director of National In-  
18          telligence for Analysis and Production.

19          (G) Any reference to the Assistant Director of  
20          Central Intelligence for Administration in any law,  
21          regulation, document, paper, or other record of the  
22          United States shall be deemed to be a reference to  
23          the Assistant Director of National Intelligence for  
24          Administration.

25          (b) EXECUTIVE SCHEDULE MATTERS.—

1           (1) EXECUTIVE SCHEDULE LEVEL II.—Section  
2           5313 of title 5, United States Code, is amended by  
3           striking the item relating to the Director of Central  
4           Intelligence and inserting the following new items:

5           “Director of National Intelligence.

6           “Director of the Central Intelligence Agency.”.

7           (2) EXECUTIVE SCHEDULE LEVEL III.—Section  
8           5314 of title 5, United States Code, is amended by  
9           striking the item relating to the Deputy Directors of  
10          Central Intelligence and inserting the following new  
11          item:

12          “Deputy Directors of National Intelligence  
13          (2).”.

14          (3) EXECUTIVE SCHEDULE LEVEL IV.—Section  
15          5315 of title 5, United States Code, is amended—

16                (A) by striking the item relating to the As-  
17                sistant Directors of Central Intelligence and in-  
18                serting the following new item:

19                “Assistant Directors of National Intelligence  
20                (3).”;

21                (B) by striking the item relating to the In-  
22                spector General of the Central Intelligence  
23                Agency and inserting the following new items:

24                “Inspector General, Central Intelligence Agen-  
25                cy.

1 “Inspector General, Intelligence Community.”;

2 and

3 (C) by inserting after the item relating to  
4 the General Counsel of the Central Intelligence  
5 Agency the following new item:

6 “General Counsel to the Director of National  
7 Intelligence.”.

8 (c) CONFORMING AND CLERICAL AMENDMENTS.—

9 (1) NATIONAL SECURITY ACT OF 1947.—(A)  
10 The National Security Act of 1947 (50 U.S.C. 401  
11 et seq.) is amended by striking “Director of Central  
12 Intelligence” and inserting “Director of National In-  
13 telligence” each place it appears in the following  
14 provisions:

15 (i) Section 3(4)(A) (50 U.S.C.  
16 401a(4)(A)), both places it appears.

17 (ii) Section 3(4)(J) (50 U.S.C.  
18 401a(4)(J)).

19 (iii) Section 3(5)(B) (50 U.S.C.  
20 401a(5)(B)).

21 (iv) Section 3(6) (50 U.S.C. 401a(6)).

22 (v) Section 101(h)(2)(A) (50 U.S.C.  
23 402(h)(2)(A)).

24 (vi) Section 101(h)(5) (50 U.S.C.  
25 402(h)(5)).

1 (vii) Section 101(i)(2)(A) (50 U.S.C.  
2 402(i)(2)(A)).

3 (viii) Section 101(j) (50 U.S.C. 402(j)),  
4 both places it appears.

5 (ix) Section 105(a) (50 U.S.C. 403–5(a)).

6 (x) Section 105(a)(2) (50 U.S.C. 403–  
7 5(a)(2)).

8 (xi) Section 105(b)(6)(A) (50 U.S.C. 403–  
9 5(b)(6)(A)).

10 (xii) Section 105B(a)(1) (50 U.S.C. 403–  
11 5b(a)(1)).

12 (xiii) Section 105B(a)(2) (50 U.S.C. 403–  
13 5b(a)(2)).

14 (xiv) Section 105B(b) (50 U.S.C. 403–  
15 5b(b)), both places it appears.

16 (xv) Section 105C(a)(6)(B)(viii) (50  
17 U.S.C. 403–5c(a)(6)(B)(viii)).

18 (xvi) Section 105C(b) (50 U.S.C. 403–  
19 5c(b)), both places it appears.

20 (xvii) Section 105D(b) both places it ap-  
21 pears.

22 (xviii) Section 106(a)(1) (50 U.S.C. 403–  
23 6(a)(1)).

24 (xix) Section 106(b)(1) (50 U.S.C. 403–  
25 6(b)(1)).

- 1 (xx) Section 106(b)(3) (50 U.S.C. 403–  
2 6(b)(3)).
- 3 (xxi) Section 110(b) (50 U.S.C. 404e(b)).
- 4 (xxii) Section 110(c) (50 U.S.C. 404e(c)).
- 5 (xxiii) Section 111 (50 U.S.C. 404f).
- 6 (xxiv) Section 112(a)(1) (50 U.S.C.  
7 404g(a)(1)).
- 8 (xxv) Section 112(d)(1) (50 U.S.C.  
9 404g(d)(1)).
- 10 (xxvi) Section 113(b)(2)(A) (50 U.S.C.  
11 404h(b)(2)(A)).
- 12 (xxvii) Section 113(c) (50 U.S.C. 404h(c)).
- 13 (xxviii) Section 114(a)(1) (50 U.S.C.  
14 404i(a)(1)).
- 15 (xxix) Section 114(b)(1) (50 U.S.C.  
16 404i(b)(1)).
- 17 (xxx) Section 114(c)(1).
- 18 (xxxi) Section 115(a)(1) (50 U.S.C.  
19 404j(a)(1)).
- 20 (xxxii) Section 115(b) (50 U.S.C. 404j(b)).
- 21 (xxxiii) Section 115(c)(1)(B) (50 U.S.C.  
22 404j(c)(1)(B)).
- 23 (xxxiv) Section 116(a) (50 U.S.C.  
24 404k(a)).
- 25 (xxxv) Section 116(b) (50 U.S.C. 404k(b)).

1 (xxxvi) Section 117(a)(1) (50 U.S.C.  
2 404l(a)(1)).

3 (xxxvii) Section 303(a) (50 U.S.C. 405(a)),  
4 both places it appears.

5 (xxxviii) Section 501(d) (50 U.S.C.  
6 413(d)).

7 (xxxix) Section 502(a) (50 U.S.C.  
8 413a(a)).

9 (xl) Section 502(c) (50 U.S.C. 413a(c)).

10 (xli) Section 503(b) (50 U.S.C. 413b(b)).

11 (xlii) Section 504(d)(2) (50 U.S.C.  
12 414(d)(2)).

13 (xliii) Section 506(b).

14 (xliv) Section 603(a) (50 U.S.C. 423(a)).

15 (xlv) Section 1001(a).

16 (B) The National Security Act of 1947 is fur-  
17 ther amended by striking “Director of Central Intel-  
18 ligence” and inserting “Director of the Central In-  
19 telligence Agency” each place it appears in the fol-  
20 lowing provisions:

21 (i) Section 504(a)(2) (50 U.S.C.  
22 414(a)(2)).

23 (ii) Section 504(a)(3)(C) (50 U.S.C.  
24 414(a)(3)(C)).

25 (iii) Section 701(a) (50 U.S.C. 431(a)).

1 (iv) Section 702(a) (50 U.S.C. 432(a)).

2 (C) Section 3(4)(A) of that Act (50 U.S.C.  
3 401a(4)(A)) is further amended—

4 (i) by striking “as provided in section  
5 105(b)(3)” and inserting “as provided in sec-  
6 tion 102(f)”;

7 (ii) by striking “the Director may” and in-  
8 serting “the Director of National Intelligence  
9 may”.

10 (D) Section 105(b) of that Act (50 U.S.C. 403–  
11 5(b)) is further amended by striking “sections 103  
12 and 104” and inserting “sections 103, 103A, and  
13 104A”.

14 (E) Section 112(d) of that Act (50 U.S.C.  
15 404g(d)) is further amended—

16 (i) in paragraph (1), by striking “section  
17 103(c)(6) of this Act” and inserting “section  
18 103(b)(7)”;

19 (ii) in paragraph (2), by striking “of this  
20 Act”.

21 (F) Section 701(c)(3) of that Act (50 U.S.C.  
22 431(c)(3)) is amended by striking “or the Office of  
23 the Director of Central Intelligence” and inserting  
24 “the Office of the Director of National Intelligence,



1 or the Office of the Director of the Central Intel-  
2 ligence Agency”.

3 (G) Section 1001(b) of that Act is amended by  
4 striking “Assistant Director of Central Intelligence  
5 for Administration” and inserting “Assistant Direc-  
6 tor of National Intelligence for Administration”.

7 (H) The subsection caption of section 105(d) of  
8 that Act (50 U.S.C. 403–5(d)) is amended by strik-  
9 ing “THE DIRECTOR OF CENTRAL INTELLIGENCE”  
10 and inserting “DIRECTOR OF NATIONAL INTEL-  
11 LIGENCE”.

12 (I) Section 106 of that Act (50 U.S.C. 403–6)  
13 is further amended—

14 (i) in the subsection caption for subsection  
15 (a), by striking “DCI” and inserting “DNI”;  
16 and

17 (ii) in the subsection caption for subsection  
18 (b), by striking “DCI” and inserting “DNI”.

19 (J) The heading for section 114 of that Act (50  
20 U.S.C. 404i) is amended to read as follows:

21 “ADDITIONAL ANNUAL REPORTS FROM THE DIRECTOR OF  
22 NATIONAL INTELLIGENCE”.

23 (K) The table of sections for that Act is  
24 amended—

1 (i) by striking the items relating to sec-  
2 tions 102 through 104 and inserting the fol-  
3 lowing new items:

“Sec. 102. Office of the Director of Central Intelligence.  
“Sec. 103. Responsibilities of Director of National Intelligence.  
“Sec. 103A. Authorities of Director of National Intelligence.  
“Sec. 104. Central Intelligence Agency.  
“Sec. 104A. Director of the Central Intelligence Agency.”; and

4 (ii) by striking the item relating to section  
5 114 and inserting the following new item:

“Sec. 114. Additional annual reports from the Director of National Intel-  
ligence.”.

6 (2) CENTRAL INTELLIGENCE AGENCY ACT OF  
7 1949.—(A) Section 1 of the Central Intelligence  
8 Agency Act of 1949 (50 U.S.C. 403a) is amended—

9 (i) by redesignating paragraphs (a) and (c)  
10 as paragraphs (1) and (3), respectively; and

11 (ii) by striking paragraph (b) and inserting  
12 the following new paragraph (2):

13 “(2) ‘Director’ means the Director of the Cen-  
14 tral Intelligence Agency; and”.

15 (B) Section 6 of that Act (50 U.S.C. 403g) is  
16 amended—

17 (i) by striking “Director of Central Intel-  
18 ligence” and inserting “Director of National In-  
19 telligence”; and

20 (ii) by striking “section 103(c)(6) of the  
21 National Security Act of 1947 (50 U.S.C. 403–

1           3(c)(6))” and inserting “section 103(b)(7) of  
2           the National Security Act of 1947”.

3           (C) That Act is further amended by striking  
4           “Director of Central Intelligence” each place it ap-  
5           pears in the following provisions and inserting “Di-  
6           rector of the Central Intelligence Agency”:

7                   (i) Section 14(b) (50 U.S.C. 403n(b)).

8                   (ii)    Section    16(b)(2)   (50    U.S.C.  
9                   403p(b)(2)).

10                  (iii)   Section    16(b)(3)   (50    U.S.C.  
11                  403p(b)(3)), both places it appears.

12                  (iv)   Section    20(g)(3)(B)   (50    U.S.C.  
13                  403u(g)(3)(B)).

14                  (v)    Section    20(h)(1)   (50    U.S.C.  
15                  403u(h)(1)).

16                  (vi)   Section    20(h)(2)   (50    U.S.C.  
17                  403u(h)(2)).

18           (D) That Act is further amended by striking  
19           “of Central Intelligence” in each of the following  
20           provisions:

21                   (i)   Section    16(c)(1)(B)   (50    U.S.C.  
22                   403p(c)(1)(B)).

23                   (ii)   Section    17(d)(1)   (50    U.S.C.  
24                   403q(d)(1)).

1 (iii) Section 17(f) (50 U.S.C. 403q(f)),  
2 both places it appears.

3 (iv) Section 20(c) (50 U.S.C. 403t(c)).

4 (3) CENTRAL INTELLIGENCE AGENCY RETIRE-  
5 MENT ACT.—(A) Section 101 of the Central Intel-  
6 ligence Agency Retirement Act (50 U.S.C. 2001) is  
7 amended by striking paragraph (2) and inserting the  
8 following new paragraph (2):

9 “(2) DIRECTOR.—The term ‘Director’ means  
10 the Director of the Central Intelligence Agency.”.

11 (B) Section 201(c) of that Act (50 U.S.C.  
12 2011) is amended by striking “paragraph (6) of sec-  
13 tion 103(c) of the National Security Act of 1947 (50  
14 U.S.C. 403–3(c)) that the Director of Central Intel-  
15 ligence” and inserting “section 103(b)(7) of the Na-  
16 tional Security Act of 1947 that the Director of the  
17 National Intelligence”.

18 (4) CIA VOLUNTARY SEPARATION PAY ACT.—  
19 Subsection (a)(1) of section 2 of the Central Intel-  
20 ligence Agency Voluntary Separation Pay Act (50  
21 U.S.C. 2001 note) is amended to read as follows:

22 “(1) the term ‘Director’ means the Director of  
23 the Central Intelligence Agency;”.

24 (5) INSPECTOR GENERAL ACT OF 1978.—Sec-  
25 tion 8H(a)(1)(C) of the Inspector General Act of

1       1978 (5 U.S.C. App. 8H(a)(1)(C)) is amended by  
2       inserting before the period at the end the following:  
3       “or to the Inspector General of the Intelligence  
4       Community”.

5           (6) FOREIGN INTELLIGENCE SURVEILLANCE  
6       ACT OF 1978.—The Foreign Intelligence Surveil-  
7       lance Act of 1978 (50 U.S.C. 1801 et seq.) is  
8       amended by striking “Director of Central Intel-  
9       ligence” each place it appears and inserting “Direc-  
10      tor of National Intelligence”.

11          (7) CLASSIFIED INFORMATION PROCEDURES  
12      ACT.—Section 9(a) of the Classified Information  
13      Procedures Act (5 U.S.C. App.) is amended by strik-  
14      ing “Director of Central Intelligence” and inserting  
15      “Director of National Intelligence”.

16          (8) INTELLIGENCE AUTHORIZATION ACTS.—

17           (A) PUBLIC LAW 103–359.—Section  
18       811(c)(6)(C) of the Counterintelligence and Se-  
19       curity Enhancements Act of 1994 (title VIII of  
20       Public Law 103–359) is amended by striking  
21       “Director of Central Intelligence” and inserting  
22       “Director of National Intelligence”.

23           (B) PUBLIC LAW 107–306.—(i) Section  
24       313(a) of the Intelligence Authorization Act for  
25       Fiscal Year 2003 (Public Law 107–306) is

1 amended by striking “Director of Central Intel-  
2 ligence, acting as the head of the intelligence  
3 community,” and inserting “Director of Na-  
4 tional Intelligence”.

5 (ii) Section 341 of that Act is amended by  
6 striking “Director of Central Intelligence, act-  
7 ing as the head of the intelligence community,  
8 shall establish in the Central Intelligence Agen-  
9 cy” and inserting “Director of National Intel-  
10 ligence shall establish within the intelligence  
11 community”.

12 (iii) Section 343 of that Act is amended—

13 (I) in subsection (a)(1), by striking  
14 “Director of Central Intelligence, acting as  
15 the head of the Intelligence Community,”  
16 and inserting “Director of National Intel-  
17 ligence”;

18 (II) in subsection (c), by striking  
19 “section 103(c)(6) of the National Security  
20 Act of 1947 (50 U.S.C. 403–3(c)(6))” and  
21 inserting “section 103(b)(7) of the Na-  
22 tional Security Act of 1947”; and

23 (III) in subsection (e)(2), by striking  
24 “section 103(c)(6)” and inserting “section  
25 103(b)(7)”.

1 (iv) Section 352(b) of that Act is amended  
2 by inserting “of National Intelligence” after  
3 “The Director”.

4 (v) That Act is further amended by strik-  
5 ing “Director of Central Intelligence” each  
6 place it appears in the following provisions and  
7 inserting “Director of National Intelligence”:

8 (I) Section 902(a)(2).

9 (II) Section 904(e)(4).

10 (III) Section 904(e)(5).

11 (IV) Section 904(h)(1).

12 (vi) That Act is further amended by strik-  
13 ing “Office of the Director of Central Intel-  
14 ligence” each place it appears in the following  
15 provisions and inserting “Office of the Director  
16 of National Intelligence”:

17 (I) Section 904(c).

18 (II) Section 904(l).

19 (vii) Section 904(m) of that Act is amend-  
20 ed by inserting “the Director of National Intel-  
21 ligence,” before “the Director of Central Intel-  
22 ligence”.

23 (9) USA PATRIOT ACT OF 2001.—The USA  
24 PATRIOT Act of 2001 (Public Law 107–56) is  
25 amended by striking “Director of Central Intel-

1       ligence” and inserting “Director of National Intel-  
2       ligence” each place it appears in the following provi-  
3       sions:

4               (A) Section 203(d)(1) (50 U.S.C. 403–  
5               5d(d)(1)), as amended by section 897(a) of the  
6               Homeland Security Act of 2002 (Public Law  
7               107–296), both places it appears.

8               (B) Section 908(a) (115 Stat. 391).

9               (C) Section 1006(b) (115 Stat. 394).

10              (10) HOMELAND SECURITY ACT OF 2002.—The  
11       Homeland Security Act of 2002 (Public Law 107–  
12       296) is amended by striking “Director of Central In-  
13       telligence” and inserting “Director of National Intel-  
14       ligence” each place it appears in the following provi-  
15       sions:

16              (A) Section 201(d)(10).

17              (B) Section 201(d)(12)(B).

18              (C) Section 202(c).

19              (D) Section 202(d)(2).

20              (E) Section 601(c)(6).

21              (F) Section 601(e).

22              (G) Section 601(f).

23              (H) Section 892(b)(7).

24              (I) Section 1001(c)(1)(A).



1           (11) TITLE 18, UNITED STATES CODE.—(A)  
2       Section 2517(8) of title 18, United States Code, is  
3       amended by striking “Director of Central Intel-  
4       ligence” and inserting “Director of National Intel-  
5       ligence”.

6           (B) Subsections (d)(7)(B)(iv) and (i)(5)(B)(iv)  
7       of such title are amended by striking “Director of  
8       Central Intelligence” and inserting “Director of Na-  
9       tional Intelligence, or the head of another element of  
10      the intelligence community”.

11          (12) TITLE 44, UNITED STATES CODE.—Sec-  
12      tion 3535(g)(3) of title 44, United States Code, is  
13      amended by striking “Director of Central Intel-  
14      ligence” and inserting “Director of National Intel-  
15      ligence”.

16          (13) FEDERAL RULES OF CRIMINAL PROCE-  
17      DURE.—Paragraphs (2) and (3) of section 6(e) of  
18      the Federal Rules of Criminal Procedure are amend-  
19      ed by striking “Director of Central Intelligence” and  
20      inserting “Director of National Intelligence”.

1   **SEC.   3.   PRIORITIES   ON   INTELLIGENCE   AND**  
2                   **COUNTERTERRORISM ACTIVITIES FOR THE**  
3                   **INTELLIGENCE COMMUNITY.**

4       (a) IN GENERAL.—(1) Title I of the National Secu-  
5 rity Act of 1947 (50 U.S.C. 402 et seq.) is amended by  
6 inserting after section 101 the following new section:

7   “PRIORITIES           ON           INTELLIGENCE           AND  
8       COUNTERTERRORISM ACTIVITIES FOR THE INTEL-  
9       LIGENCE COMMUNITY

10   “SEC. 101A. (a) PRIORITIES.—The President shall  
11 take appropriate actions to ensure the following:

12           “(1) The establishment of priorities for the in-  
13 telligence, intelligence-related, and counterterrorism  
14 activities of the United States Government.

15           “(2) The discharge of the intelligence, intel-  
16 ligence-related, and counterterrorism activities of the  
17 United States Government by the elements of the in-  
18 telligence community in accordance with the prior-  
19 ities.

20   “(b) REVIEW AND UPDATE OF PRIORITIES.—(1) The  
21 President shall ensure that the priorities established under  
22 subsection (a)(1) are reviewed and updated on an annual  
23 basis.

24           “(2) The purpose of the reviews and updates is to  
25 ensure the most effective allocation of the personnel and

1 other resources of the intelligence community as threats  
2 to the United States evolve.

3 “(c) ANNUAL REPORT.—Not later than the date each  
4 year provided in section 507, the Director of National In-  
5 telligence shall submit to the congressional intelligence  
6 committees a report on the priorities for the intelligence,  
7 intelligence-related, and counterterrorism activities of the  
8 United States Government in effect under this section, in-  
9 cluding a justification for such priorities.”.

10 (2) The table of contents for that Act is amended  
11 by inserting after the item relating to section 101 the fol-  
12 lowing new item:

“101A. Priorities on intelligence and counterterrorism activities for the intel-  
ligence community.”.

13 (b) SUBMITTAL OF ANNUAL REPORTS.—Section  
14 507(a)(1) of that Act (50 U.S.C. 415b(a)(1)) is  
15 amended—

16 (1) by redesignating subparagraphs (A) through  
17 (N) as subparagraphs (B) through (O), respectively;  
18 and

19 (2) by inserting before subparagraph (B), as so  
20 redesignated, the following new subparagraph (A):

21 “(A) The annual report on priorities for the in-  
22 telligence and counterterrorism activities of the  
23 United States Government required by section  
24 101A.”.

1 **SEC. 4. COMPREHENSIVE STRATEGY ON COMBATTING TER-**  
2 **RORISM.**

3 (a) IN GENERAL.—Title I of the National Security  
4 Act of 1947 (50 U.S.C. 402 et seq.) is amended by insert-  
5 ing after section 108 the following new section:

6 “NATIONAL STRATEGY ON COMBATTING TERRORISM

7 “SEC. 108A. (a) IN GENERAL.—In addition to any  
8 other duties under this Act, the National Security Council  
9 shall prepare a comprehensive government-wide strategy  
10 for combatting terrorism that fully utilizes the capabilities  
11 and expertise of the foreign policy, economic, military, in-  
12 telligence, and law enforcement elements of the United  
13 States Government to address the threat of terrorism to  
14 the United States, whether in the United States or abroad,  
15 including the threat arising from the proliferation of weap-  
16 ons of mass destruction.

17 “(b) CONSULTATION.—The strategy required by this  
18 section shall be developed in consultation with the fol-  
19 lowing:

20 “(1) The Director of National Intelligence.

21 “(2) The Secretary of Homeland Security.

22 “(3) The Secretary of State.

23 “(4) The Secretary of Defense.

24 “(5) Any other officer of the United States  
25 Government that the National Security Council con-  
26 siders appropriate.

1       “(c) INTELLIGENCE COMMUNITY ELEMENTS OF  
2 STRATEGY.—(1) In preparing the elements of the strategy  
3 required by this section that involve the intelligence com-  
4 munity, the Director of National Intelligence shall develop  
5 specific plans, including programs and the allocation of  
6 appropriate resources therefor, for addressing the threat  
7 of terrorism posed by Usama Bin Ladin, al Qaeda,  
8 Hezbollah, Hamas, and other significant terrorists and  
9 terrorist organizations.

10       “(2) The plans developed under paragraph (1) shall,  
11 in a manner fully consistent with United States law, in-  
12 clude the following:

13               “(A) The development of human resources to  
14       penetrate terrorist organizations and networks in the  
15       United States and abroad.

16               “(B) The utilization of current technologies,  
17       and the development and enhancement of tech-  
18       nologies, in order to—

19                       “(i) intercept, analyze, and exploit the  
20       communications of terrorists and terrorist orga-  
21       nizations;

22                       “(ii) conduct effective data-mining and  
23       other forms of similar analysis; and

24                       “(iii) facilitate the timely and effective  
25       sharing of intelligence both within the intel-

1           ligence community and between the intelligence  
2           community and other elements of the United  
3           States Government and State and local govern-  
4           ments.

5           “(C) The enhancement of domestic intelligence  
6           collection and analysis, including the enhancement of  
7           information technology in order to permit links be-  
8           tween new information and previously-acquired in-  
9           formation.

10          “(D) The maximization of the use of covert ac-  
11          tions in counterterrorism efforts.

12          “(E) The development of means of identifying  
13          and tracking financial support for terrorism.

14          “(F) The enhancement of the capabilities of the  
15          paramilitary units of the Central Intelligence Agency  
16          and the special operations forces of the Armed  
17          Forces to conduct joint operations against terrorists  
18          and terrorist organizations.

19          “(d) UPDATE.—The National Security Council shall  
20          provide for the on-going update of the strategy required  
21          by this section in order to take into account changes in  
22          circumstances.

23          “(e) APPROVAL OF PRESIDENT.—The strategy re-  
24          quired by this section, including any update of the strategy

1 under subsection (d), shall not take effect until approved  
2 by the President.”.

3 “(f) REPORTS TO CONGRESS.—(1) The President  
4 shall transmit to Congress the strategy required by this  
5 section, including any update of the strategy under sub-  
6 section (d).

7 “(2) Each transmittal under this subsection shall be  
8 in both classified and unclassified form.”.

9 (b) CLERICAL AMENDMENTS.—The table of contents  
10 for that Act is amended—

11 (1) by striking the following:

“Sec. 104. Annual national security strategy report.”; and

12 (2) by inserting after the item relating to sec-  
13 tion 108 the following new item:

“Sec. 108A . National strategy on combatting terrorism.”.

14 **SEC. 5. INCLUSION OF NATIONAL INTELLIGENCE OFFICER**  
15 **FOR TERRORISM ON NATIONAL INTEL-**  
16 **LIGENCE COUNCIL.**

17 Section 102(f)(2) of the National Security Act of  
18 1947, as amended by section 2(a)(1) of this Act, is further  
19 amended—

20 (1) by redesignating subparagraph (B) as sub-  
21 paragraph (C); and

22 (2) by inserting after subparagraph (A) the fol-  
23 lowing new subparagraph (B):

1       “(B) One of the members of the Council shall be  
2 known as the National Intelligence Officer on Terrorism.  
3 In addition to any other responsibilities for the Council,  
4 the National Intelligence Officer on Terrorism shall pre-  
5 pare intelligence estimates on terrorism for the use of pol-  
6 icymakers in the Executive branch, and in Congress, and  
7 to assist the intelligence community in developing strategic  
8 analyses and assessment of terrorism. The individual ap-  
9 pointed as the National Intelligence Officer on Terrorism  
10 shall be highly qualified in matters relating to the respon-  
11 sibilities of the position.”.

12 **SEC. 6. ENHANCEMENT OF COUNTERTERRORISM CAPA-**  
13 **BILITIES OF THE FEDERAL BUREAU OF IN-**  
14 **VESTIGATION.**

15       (a) ACTIONS REQUIRED.—The Director of the Fed-  
16 eral Bureau of Investigations shall, as soon as practicable  
17 after the date of the enactment of this Act, take appro-  
18 priations actions to enhance the counterterrorism capabili-  
19 ties of the Federal Bureau of Investigation, including the  
20 actions set forth under subsection (b).

21       (b) PARTICULAR ACTIONS.—The actions set forth in  
22 this subsection are actions to achieve the following:

23           (1) The strengthening of counterterrorism as a  
24 national program of the Federal Bureau of Inves-  
25 tigation through the clear designation of national



1 priorities for counterterrorism and the enforcement  
2 of adherence by the field offices of the Bureau to  
3 such priorities.

4 (2) The establishment and maintenance of inde-  
5 pendent career tracks for personnel in the Federal  
6 Bureau of Investigation to provide recognition and  
7 incentives for analysts, agents, and other personnel  
8 who demonstrate skill and achievement in  
9 counterterrorism activities.

10 (3) The improvement of the strategic analytical  
11 capabilities of the Federal Bureau of Investigation  
12 on counterterrorism through the assurance of quali-  
13 fications, training, and independence of analysts and  
14 the provision of access of analysts to appropriate in-  
15 formation and resources.

16 (4) The establishment and maintenance of an  
17 effective reports officer cadre at the headquarters  
18 and the field offices of the Federal Bureau of Inves-  
19 tigation in order to facilitate the timely dissemina-  
20 tion of intelligence from agents to analysts within  
21 the Bureau and to analysts within other elements of  
22 the intelligence community.

23 (5) The implementation of training for agents  
24 of the Federal Bureau of Investigation in the effec-  
25 tive use of analysts and their work.

1           (6) The expansion and maintenance of recruit-  
2           ment of agents and analysts for the Federal Bureau  
3           of Investigation with the linguistic skills necessary  
4           for counterterrorism work.

5           (7) The enhancement of efforts of the Federal  
6           Bureau of Investigation to penetrate terrorist orga-  
7           nizations operating in the United States through all  
8           available means of collection.

9           (8) The improvement of training for Federal  
10          Bureau of Investigation personnel in the national se-  
11          curity law of the United States.

12          (9) The implementation and maintenance of  
13          mechanisms to maximize the exchange of informa-  
14          tion relating to counterterrorism between and among  
15          the Federal Bureau of Investigation, other depart-  
16          ments and agencies of the Federal Government, and  
17          State and local governments.

18          (10) The identification and remediation of per-  
19          sistent inadequacies in the information technology of  
20          the Federal Bureau of Investigation.

21   **SEC. 7. REFORM OF DOMESTIC INTELLIGENCE PROGRAMS**  
22                   **AND ACTIVITIES.**

23          (a) REPORT ON REFORM REQUIRED.—Not later than  
24          180 days after the date of the enactment of this Act, the  
25          Director of National Intelligence, the Attorney General,

1 and the Secretary of Homeland Security shall jointly sub-  
2 mit to Congress a report on reforms in the conduct of the  
3 domestic intelligence programs and activities of the United  
4 States Government.

5 (b) ELEMENTS.—The report under subsection (a)  
6 shall include the following:

7 (1) A description of the progress made by the  
8 Federal Bureau of Investigation since September 11,  
9 2001, in implementing reforms required for the ef-  
10 fective conduct of domestic intelligence programs  
11 and activities, including reforms to ensure an effec-  
12 tive balance between the pursuit of counterterrorism  
13 and the protection of civil liberties.

14 (2) An assessment of the experiences of other  
15 democratic nations in conducting domestic intel-  
16 ligence programs and activities, including the lessons  
17 of such nations that may be applicable to the con-  
18 duct of the domestic intelligence programs and ac-  
19 tivities of the United States Government.

20 (3) An assessment of the advisability of estab-  
21 lishing a new domestic intelligence service in the  
22 United States Government in order to enhance the  
23 conduct of the domestic intelligence programs and  
24 activities of the United States Government, includ-

1       ing if the establishment of the service is determined  
2       advisable—

3               (A) a plan for the service; and

4               (B) a description of the manner in which  
5       the activities of the service under the plan will  
6       provide an appropriate balance between the pro-  
7       tection of the national security and the protec-  
8       tion of civil liberties.

9       (4) Any recommendations that the officials  
10      jointly consider appropriate regarding the most ap-  
11      propriate means of providing a domestic intelligence  
12      capability in the United States, including a descrip-  
13      tion of any legislative or administrative actions nec-  
14      essary to implement the recommendations.

15 **SEC. 8. ENHANCEMENT OF UTILIZATION OF FOREIGN IN-**  
16 **TELLIGENCE SURVEILLANCE AUTHORITIES**  
17 **BY THE INTELLIGENCE COMMUNITY.**

18       (a) TRAINING IN AVAILABILITY AND UTILIZATION OF  
19 AUTHORITIES.—(1) The Attorney General shall, in con-  
20 sultation with the Director of the Federal Bureau of In-  
21 vestigation, provide detailed training to appropriate per-  
22 sonnel of the Federal Bureau of Investigation, and to ap-  
23 propriate personnel of other elements of the intelligence  
24 community, on the availability and utilization of the au-  
25 thorities provided by the Foreign Intelligence Surveillance

1 Act of 1978 (50 U.S.C. 1801 et seq.) to address terrorist  
2 threats to the United States.

3 (2) The Attorney General shall provide the training  
4 required by paragraph (1) through the Office of Intel-  
5 ligence Policy and Review of the Department of Justice  
6 and through such other elements of the Department as  
7 the Attorney General considers appropriate.

8 (b) DISSEMINATION OF INFORMATION ACQUIRED BY  
9 FOREIGN INTELLIGENCE SURVEILLANCE.—The Attorney  
10 General and the Director of the Federal Bureau of Inves-  
11 tigation shall jointly take appropriate actions to ensure  
12 that the information acquired through electronic surveil-  
13 lance, searches, and other activities under the Foreign In-  
14 telligence Surveillance Act of 1978 is disseminated on a  
15 timely basis to appropriate personnel within the Federal  
16 Bureau of Investigation, and appropriate personnel in  
17 other elements of the intelligence community, in order to  
18 facilitate the use of such information for analysis and op-  
19 erations to address terrorists threats to the United States.

20 (c) PLAN ON UTILIZATION OF FOREIGN INTEL-  
21 LIGENCE SURVEILLANCE AUTHORITIES TO ASSESS  
22 THREATS OF INTERNATIONAL TERRORIST GROUPS.—The  
23 Attorney General and the Director of the Federal Bureau  
24 of Investigation shall jointly develop a plan to utilize the  
25 authorities under the Foreign Intelligence Surveillance Act

1 of 1978 to provide for the full assessment of the threats  
2 posed to the United States by international terrorist  
3 groups operating within the United States, including the  
4 determination of the extent to which such groups are fund-  
5 ed or otherwise supported by foreign governments.

6 **SEC. 9. PLAN ON ENHANCEMENT OF SIGNALS INTEL-**  
7 **LIGENCE.**

8 (a) REPORT ON PLAN REQUIRED.—Not later than 90  
9 days after the date of the enactment of this Act, the Direc-  
10 tor of the National Security Agency shall submit to the  
11 Director of National Intelligence and the Secretary of De-  
12 fense, and to the congressional intelligence committees, a  
13 report containing a plan for the enhancement of the sig-  
14 nals intelligence program of the United States.

15 (b) ELEMENTS.—The plan under the report required  
16 by subsection (a) shall include the following:

17 (1) A detailed description of potential solutions  
18 for the technological challenges currently faced by  
19 the signals intelligence program.

20 (2) Mechanisms for the quarterly review of each  
21 technology development program for the signals in-  
22 telligence program, including the quarterly review  
23 for each such technology development program of—

24 (A) the objectives of such program;

1 (B) the products to be delivered through  
2 such program;

3 (C) the funding required for such program;  
4 and

5 (D) the schedules associated with such pro-  
6 gram.

7 (3) A proposal for making the National Secu-  
8 rity Agency a full cooperating partner with the Cen-  
9 tral Intelligence Agency and the Federal Bureau of  
10 Investigation in the war on terrorism, including pro-  
11 posals for integrating the collection and analytic ca-  
12 pabilities for such agencies.

13 (4) Recommendations for such legislative or ad-  
14 ministrative action as may be necessary to imple-  
15 ment the plan.

16 (c) CONGRESSIONAL INTELLIGENCE COMMITTEES  
17 DEFINED.—In this section, the term “congressional intel-  
18 ligence committees” means—

19 (1) the Select Committee on Intelligence of the  
20 Senate; and

21 (2) the Permanent Select Committee on Intel-  
22 ligence of the House of Representatives.

1   **SEC. 10. PERSONNEL INITIATIVES FOR THE INTELLIGENCE**  
2                   **COMMUNITY.**

3           The Director of National Intelligence shall take ap-  
4   propriate actions to require initiatives within the intel-  
5   ligence to improve and enhance the quality of the per-  
6   sonnel of the intelligence community, including initiatives  
7   as follows:

8           (1) Initiatives to enhance and improve the  
9       counterterrorism training for personnel of the intel-  
10      ligence community, including expansion of such  
11      training to improve and enhance—

12           (A) intelligence sharing between and  
13           among intelligence personnel and law enforce-  
14           ment personnel;

15           (B) language capabilities;

16           (C) the utilization of the authorities under  
17           the Foreign Intelligence Surveillance Act of  
18           1978 (50 U.S.C. 1801 et seq.); and

19           (D) watchlisting.

20           (2) Other initiatives to enhance and improve  
21      the language capabilities of the intelligence commu-  
22      nity, including—

23           (A) the establishment of a Civilian Lin-  
24           guist Reserve Corps; and

25           (B) the identification and recruitment to  
26      the intelligence community of individuals out-



1           side the intelligence community who possess  
2           language capabilities useful to intelligence and  
3           counterterrorism activities.

4           (3) Expansion of the current Intelligence Com-  
5           munity Reserve Corps to include personnel outside  
6           the intelligence community who possess expertise  
7           useful to intelligence and counterterrorism activities.

8           (4) Initiatives to recruit and retain within the  
9           intelligence community a more ethnically and cul-  
10          turally diverse workforce, including initiatives to re-  
11          cruit and retain first-generation Americans, and to  
12          utilize the language capabilities of such individuals,  
13          while recognizing the counterintelligence challenges  
14          posed by including such individuals in the intel-  
15          ligence community workforce.

16 **SEC. 11. BUDGETING AND FUNDING OF INTELLIGENCE AND**  
17 **COUNTERTERRORISM ACTIVITIES.**

18          (a) BUDGET AMOUNTS FOR INTELLIGENCE ACTIVI-  
19          TIES.—(1) Subsection (a) of section 506 of the National  
20          Security Act of 1947 (50 U.S.C. 415a(a)) is amended by  
21          adding at the end the following new paragraph:

22                 “(5) All other intelligence and intelligence-re-  
23          lated activities.”.

24          (2) The heading of that section is amended to read  
25          as follows:

1 “SPECIFICITY OF NATIONAL FOREIGN INTELLIGENCE  
2 PROGRAM BUDGET AMOUNTS”.

3 (b) COST-BENEFIT ANALYSES OF ALLOCATIONS OF  
4 RESOURCES FOR INTELLIGENCE.—(1) Not later than 90  
5 days after the date of the enactment of this Act, the Direc-  
6 tor of National Intelligence shall submit to the congres-  
7 sional intelligence committees a report on the feasibility  
8 and advisability of providing for the conduct, by an agency  
9 or entity outside the intelligence community, of thorough  
10 and rigorous cost-benefit analyses of the allocations of re-  
11 sources for the intelligence and intelligence-related activi-  
12 ties of the United States Government.

13 (2) If the Director determines for purposes of the re-  
14 port under paragraph (1) that the conduct of cost-benefit  
15 analyses as described in that paragraph is feasible and ad-  
16 visable, the report under that paragraph shall include rec-  
17 ommendations on the agency or entity to conduct the cost-  
18 benefit analyses.

19 (3) In this subsection, the term “congressional intel-  
20 ligence communities” means—

21 (A) the Select Committee on Intelligence of the  
22 Senate; and

23 (B) the Permanent Select Committee on Intel-  
24 ligence of the House of Representatives.

1       (c) FLEXIBILITY IN EXPENDITURES FOR  
2 COUNTERTERRORISM ACTIVITIES.—Section 504 of the  
3 National Security Act of 1947 (50 U.S.C. 414) is  
4 amended—

5           (1) by redesignating subsection (e) as sub-  
6 section (f); and

7           (2) by inserting after subsection (d) the fol-  
8 lowing new subsection (e):

9       “(e) Notwithstanding subsection (a)(3), appropriated  
10 funds available to an intelligence agency for a  
11 counterterrorism activity may be obligated and expended  
12 for a counterterrorism activity of a similar or higher pri-  
13 ority if the head of the intelligence agency—

14           “(1) determines that the availability of such  
15 funds for such counterterrorism activity is necessary  
16 to respond to altered or unanticipated needs; and

17           “(2) notifies the appropriate congressional com-  
18 mittees of the intent to such funds available for such  
19 counterterrorism activity.”.

20       (d) BUDGETING FOR COUNTERTERRORISM ACTIVI-  
21 TIES.—Title V of the National Security Act of 1947 (50  
22 U.S.C. 413 et seq.) is amended by inserting after section  
23 506 the following new section:

1 “BUDGETING AND FUNDING OF COUNTERTERRORISM  
2 ACTIVITIES

3 “SEC. 506A. (a) BUDGETING.—In requesting funds  
4 for counterterrorism activities under the National Foreign  
5 Intelligence Program for a fiscal year, the President shall  
6 take into account the requirements and priorities on  
7 counterterrorism for that fiscal year as specified in the  
8 national strategy on combatting terrorism.

9 “(b) FUNDING.—In allocating funds for  
10 counterterrorism activities under the National Foreign In-  
11 telligence Program for a fiscal year, the Director of Na-  
12 tional Intelligence shall take into account the requirements  
13 and priorities on counterterrorism for that fiscal year as  
14 specified in the national strategy on combatting terrorism.

15 “(c) PRACTICES AND PROCEDURES.—The Director  
16 shall take appropriate actions to ensure that the budgeting  
17 and funding practices and procedures of the intelligence  
18 community take into account the requirements and prior-  
19 ities on counterterrorism as specified in the national strat-  
20 egy on combatting terrorism.

21 “(d) NATIONAL STRATEGY ON COMBATTING TER-  
22 RORISM DEFINED.—In this section, the term ‘national  
23 strategy on combatting terrorism’ means the most current  
24 national strategy on combatting terrorism under section  
25 108A.”.

1 (e) CLERICAL AMENDMENT.—The table of contents  
2 for that Act is amended by striking the item relating to  
3 section 506 and inserting the following new items:

“506. Specificity of National Foreign Intelligence Program budget amounts.  
“506A. Budgeting and funding of counterterrorism activities.”.

4 **SEC. 12. REPORT ON REVISIONS TO BILATERAL AND MUL-**  
5 **TILATERAL AGREEMENTS TO STRENGTHEN**  
6 **COUNTERTERRORISM EFFORTS.**

7 Not later than 90 days after the date of the enact-  
8 ment of this Act, the Secretary of State shall, in consulta-  
9 tion with the Attorney General, submit to the President  
10 and Congress a report on the extent to which United  
11 States counterterrorism efforts could be strengthened by  
12 revising extradition and mutual assistance treaties and  
13 other bilateral and multilateral agreements, including by  
14 revising such agreements to include as extraditable of-  
15 fenses visa and immigration fraud and other offenses the  
16 enforcement of which is critical to efforts to combat and  
17 prevent terrorism.

18 **SEC. 13. STUDY AND RECOMMENDATIONS ON IMPROVE-**  
19 **MENT OF CONGRESSIONAL OVERSIGHT OF**  
20 **THE INTELLIGENCE COMMUNITY.**

21 (a) STUDY BY NATIONAL COMMISSION ON TER-  
22 RORIST ATTACKS UPON THE UNITED STATES.—Section  
23 604 of the Intelligence Authorization Act for Fiscal Year

1 2003 (Public Law 107–306; 116 Stat. 2409; 6 U.S.C. 101  
2 note) is amended—

3 (1) in subsection (b), by inserting “under sub-  
4 section (a)” after “the intelligence community”; and

5 (2) by adding at the end the following new sub-  
6 section:

7 “(c) STUDY ON IMPROVEMENT OF CONGRESSIONAL  
8 OVERSIGHT OF INTELLIGENCE COMMUNITY.—(1) In ad-  
9 dition to the other functions of the Commission under this  
10 section, the Commission shall conduct a study of means  
11 by which Congress may improve its oversight of the intel-  
12 ligence community and its activities.

13 “(2) In conducting the study, the Commission shall  
14 consider the following:

15 “(A) The advisability of modifications in the  
16 budget process for funding the intelligence commu-  
17 nity in order to improve that process.

18 “(B) The advisability of modifications in the  
19 rules regarding membership on the Select Committee  
20 on Intelligence of the Senate and the Permanent Se-  
21 lect Committee on Intelligence of the House of Rep-  
22 resentatives in order to improve the oversight of the  
23 intelligence community by such committees.

24 “(C) Whether or not the oversight responsibility  
25 of Congress for the intelligence community should be

1       vested in a joint committee of the Senate and House  
2       of Representatives rather than a separate committee  
3       in each house of Congress.

4               “(D) Whether or not decisions of the intel-  
5       ligence community on the classification of informa-  
6       tion impede the discharge of the oversight responsi-  
7       bility of Congress for the intelligence community,  
8       and, if so, the advisability of modifications to the  
9       procedures on the classification of information in  
10      order to eliminate or reduce such impediments.

11              “(E) Mechanisms by which Congress may dis-  
12      charge the oversight responsibility of Congress for  
13      the intelligence community in a manner which facili-  
14      tates the adaptations of the intelligence community  
15      to changes in circumstances, including changes in  
16      intelligence priorities, and to changes in the require-  
17      ments of policymakers.

18              “(F) Any other matters on the oversight re-  
19      sponsibility of Congress for the intelligence commu-  
20      nity that the Commission considers appropriate.

21              “(3) In this subsection, the term ‘intelligence commu-  
22      nity’ has the meaning given that term in section 3(4) of  
23      the National Security Act of 1947 (50 U.S.C.  
24      401(a)(4)).’.”.

1 (b) REPORT AND RECOMMENDATIONS.—Section  
2 610(b) of that Act is amended—

3 (1) by inserting “(1)” before “Not later than”;  
4 and

5 (2) by adding at the end the following para-  
6 graph:

7 “(2) The final report shall also include the findings  
8 of the Commission as a result of the study under section  
9 604(c) and any recommendations that the Commission  
10 considers appropriate in light of such findings.”.

11 **SEC. 14. TREATMENT AND CLASSIFICATION OF INTEL-**  
12 **LIGENCE INFORMATION.**

13 (a) REVIEW OF TREATMENT OF INTELLIGENCE IN-  
14 FORMATION.—The President shall review the policies and  
15 procedures that govern the classification and availability  
16 of intelligence information (including Executive Orders on  
17 such matters) in order to determine the advisability of  
18 modifying or reforming such policies and procedures to—

19 (1) expand access to relevant intelligence infor-  
20 mation, including making such information available,  
21 as appropriate, to—

22 (A) Federal agencies outside the intel-  
23 ligence community;

24 (B) State and local authorities, which are  
25 instrumental in the fight against terrorism; and



1 (C) the American public; and

2 (2) ensure that policies and procedures de-  
3 signed to protect against the unauthorized disclosure  
4 of classified intelligence information are well under-  
5 stood, fully implemented, and vigorously enforced.

6 (b) REPORT ON DESIGNATION OF INTELLIGENCE IN-  
7 FORMATION.—Not later than 180 days after the date of  
8 the enactment of this Act, the Director of National Intel-  
9 ligence shall, in consultation with the Secretary of De-  
10 fense, the Secretary of State, the Secretary of Homeland  
11 Security, and the Attorney General, submit to congres-  
12 sional intelligence committees a report that includes pro-  
13 posals for—

14 (1) reforming the processes and structures that  
15 govern the designation of sensitive and classified in-  
16 telligence information; and

17 (2) protecting such processes from misuse and  
18 abuse.

19 (c) CONGRESSIONAL INTELLIGENCE COMMITTEES  
20 DEFINED.—In this section, the term “congressional intel-  
21 ligence committees” means—

22 (1) the Select Committee on Intelligence of the  
23 Senate; and

24 (2) the Permanent Select Committee on Intel-  
25 ligence of the House of Representatives.

1 **SEC. 15. ENHANCEMENT OF ACCOUNTABILITY OF THE IN-**  
2 **TELLIGENCE COMMUNITY FOR THE PER-**  
3 **FORMANCE OF INTELLIGENCE ACTIVITIES.**

4 (a) IN GENERAL.—The Director of National Intel-  
5 ligence and the heads of the other elements of the intel-  
6 ligence community shall separately and jointly take appro-  
7 priate actions to ensure the implementation throughout  
8 the intelligence community of mechanisms to provide, pro-  
9 mote, and enhance the accountability of the elements of  
10 the intelligence community for the performance of the in-  
11 telligence and intelligence-related activities of the Federal  
12 Government.

13 (b) PARTICULAR MECHANISMS.—The mechanisms to  
14 be implemented under subsection (a) shall include the fol-  
15 lowing:

16 (1) Mechanisms to identify poor performance  
17 and to affix responsibility for such performance.

18 (2) Mechanisms to identify outstanding per-  
19 formance and to recognize and reward such perform-  
20 ance.

21 (c) REPORT ON MECHANISMS.—Not later than 180  
22 days after the date of the enactment of this Act, the Direc-  
23 tor of National Intelligence shall submit to the congres-  
24 sional intelligence committees a report on the mechanisms  
25 implemented, and proposed to be implemented, under sub-  
26 section (a), including the actions taken, and proposed to

1 be taken, to implement such mechanisms throughout the  
2 intelligence community.

3 (d) RESPONSE TO REVIEWS OF INTELLIGENCE AC-  
4 TIVITIES RELATING TO SEPTEMBER, 11, 2001, TER-  
5 RORIST ATTACKS.—(1) The Inspector General of each  
6 covered agency shall—

7 (A) review the findings and records of—

8 (i) the Joint Inquiry of the Select Com-  
9 mittee on Intelligence of the Senate and the  
10 Permanent Select Committee on Intelligence of  
11 the House of Representatives regarding the ter-  
12 rorist attacks of September 11, 2001; and

13 (ii) the National Commission on Terrorist  
14 Attacks Upon the United States established by  
15 section 601 of the Intelligence Authorization  
16 Act for Fiscal Year 2003 (Public Law 107–306;  
17 116 Stat. 2408; 6 U.S.C. 101 note); and

18 (B) conduct such supplemental investigations as  
19 such Inspector General considers appropriate in  
20 light of such findings and records in order to deter-  
21 mine the following:

22 (i) Whether, and to what extent, particular  
23 personnel of such covered agency should be held  
24 accountable (whether by disciplinary action,  
25 promotion, recognition, or other reward, or

1           other action) for an action, omission, or failure  
2           of duty with respect to the terrorist attacks of  
3           September 11, 2001.

4           (ii) Whether, and to what extent, par-  
5           ticular personnel of such covered agency have  
6           been, or should be, held accountable for such  
7           action, omission, or failure of duty.

8           (2) The Inspector General of each covered agency  
9           shall submit to the head of such covered agency a report  
10          on the activities undertaken by such Inspector General  
11          under paragraph (1). Each report shall include rec-  
12          ommendations for such personnel actions, including dis-  
13          ciplinary actions, promotions, recognitions, or other re-  
14          wards, or other personnel actions, as such Inspector Gen-  
15          eral considers appropriate.

16          (3) The head of each covered agency shall take such  
17          personnel actions with respect to the personnel of such  
18          covered agency as the head of such covered agency con-  
19          siders appropriate in light of the report on such covered  
20          agency under paragraph (2).

21          (4) The head of each covered agency shall submit to  
22          the President and the congressional intelligence commit-  
23          tees a report on the personnel actions taken under para-  
24          graph (3), including a justification for such personnel ac-  
25          tions.

1 (e) DEFINITIONS.—In this section:

2 (1) The term “congressional intelligence com-  
3 mittees” means—

4 (A) the Select Committee on Intelligence of  
5 the Senate; and

6 (B) the Permanent Select Committee on  
7 Intelligence of the House of Representatives.

8 (2) The term “covered agency” means the fol-  
9 lowing:

10 (A) The Department of Defense.

11 (B) The Department of Justice.

12 (C) The Department of State.

13 (D) The Central Intelligence Agency.

14 **SEC. 16. ELIMINATION OR REDUCTION IN BARRIERS TO**  
15 **COLLECTION AND SHARING OF INTEL-**  
16 **LIGENCE FOR COUNTERTERRORISM PUR-**  
17 **POSES.**

18 (a) REPORT REQUIRED.—Not later than 180 days  
19 after the date of the enactment of this Act, the Director  
20 of National Intelligence shall submit to the congressional  
21 intelligence committees a report that—

22 (1) describes current barriers to the collection  
23 and sharing of intelligence by and within the ele-  
24 ments of the intelligence community for  
25 counterterrorism purposes;

1           (2) describes recent efforts within the intel-  
2           ligence community to eliminate or reduce such bar-  
3           riers; and

4           (3) sets forth such recommendations as the Di-  
5           rector considers appropriate for additional actions to  
6           eliminate or reduce such barriers, including rec-  
7           ommendations for legislative or administrative ac-  
8           tion.

9           (b) BARRIERS ARISING FROM PERCEPTIONS OF LAW  
10          AND POLICY.—In considering current barriers to the col-  
11          lection and sharing of intelligence for purposes of sub-  
12          section (a), the Director shall take into account barriers  
13          that arise from inaccurate perceptions among the per-  
14          sonnel of the intelligence community of the restrictions on  
15          the collection and sharing of intelligence under law, Exec-  
16          utive orders, and applicable guidelines.

17          (c) CONGRESSIONAL INTELLIGENCE COMMITTEES  
18          DEFINED.—In this section, the term “congressional intel-  
19          ligence committees” means—

20               (1) the Select Committee on Intelligence of the  
21               Senate; and

22               (2) the Permanent Select Committee on Intel-  
23               ligence of the House of Representatives.

1 **SEC. 17. NATIONAL TERRORIST WATCHLIST CENTER.**

2 (a) ESTABLISHMENT.—The Secretary of Homeland  
3 Security shall establish in the Department of Homeland  
4 Security the National Terrorist Watchlist Center.

5 (b) RESPONSIBILITIES.—The responsibilities of the  
6 Center shall be as follows:

7 (1) To coordinate and integrate all terrorist  
8 watchlist systems.

9 (2) To ensure the timely and efficient assembly  
10 and dispersal to terrorist watchlist systems of indi-  
11 viduals and groups identified for inclusion in ter-  
12 rorist watchlist systems.

13 (3) To promote awareness and use of the Cen-  
14 ter by appropriate elements of the Federal Govern-  
15 ment, State and local governments, and the private  
16 sector.

17 (c) RESOURCES.—The Secretary shall provide the  
18 Center with such personnel and other resources as are re-  
19 quired for the discharge of the responsibilities of the Cen-  
20 ter under subsection (b).

21 **SEC. 18. ENHANCEMENT OF EFFORTS TO IDENTIFY SUP-**  
22 **PORT OR INVOLVEMENT OF FOREIGN GOV-**  
23 **ERNMENTS IN TERRORIST ACTIVITIES.**

24 (a) IN GENERAL.—The Director of National Intel-  
25 ligence shall, in consultation with the Director of Central  
26 Intelligence and the Director of the Federal Bureau of In-

1 vestigation, take appropriate actions to enhance the efforts  
2 of the intelligence community to identify the support or  
3 involvement of foreign governments in terrorist activities,  
4 including the analysis of the activities of foreign govern-  
5 ments on a nation-by-nation basis rather than on a geo-  
6 graphical or case-by-case basis.

7 (b) CONSIDERATION OF RESULTS OF JOINT IN-  
8 QUIRY.—In taking actions under subsection (a), the Direc-  
9 tor of National Intelligence shall take into account appli-  
10 cable findings of the Joint Inquiry of the Select Committee  
11 on Intelligence of the Senate and the Permanent Select  
12 Committee on Intelligence of the House of Representatives  
13 regarding the terrorist attacks of September 11, 2001.

14 (c) INFORMATION ON ACTIONS.—The Director of Na-  
15 tional Intelligence shall keep the congressional intelligence  
16 committees fully informed of the actions taken under sub-  
17 section (a), including the results of such actions.

18 (d) CONGRESSIONAL INTELLIGENCE COMMITTEES  
19 DEFINED.—In this section, the term “congressional intel-  
20 ligence committees” means—

- 21 (1) the Select Committee on Intelligence of the  
22 Senate; and  
23 (2) the Permanent Select Committee on Intel-  
24 ligence of the House of Representatives.